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Report of the Working Group on the Universal Periodic Review*

Madagascar

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

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Introduction

1. In accordance with Human Rights Council resolution 16/21 of 25 March 2011 and decision 17/119 of 17 June 2011, Madagascar presented its second report under the universal periodic review mechanism on 3 November 2014.

2. Following the review, Madagascar received 160 recommendations, of which it accepted 139 and partly accepted 21.

3. The 21 partly accepted recommendations were made by:

- Montenegro (109.1);
- Niger (109.2);
- South Africa (109.21);
- Ethiopia (109.3);
- Central African Republic (109.4);
- Ireland (109.5);
- Japan (109.6);
- Switzerland (109.7);
- Tunisia (109.8);
- Canada (109.9);
- Slovenia (109.10);
- Spain (109.11);
- Thailand (109.12);
- Germany (109.13);
- Italy (109.14);
- Mauritania (109.15 and 109.16);
- Norway (109.17);
- Tanzania (109.18);
- Costa Rica (109.19);
- Ghana (109.20).

4. In order to draw up this addendum report, Madagascar engaged in consultations with all stakeholders. The following replies reflect the views of the Government and the various ministries responsible for the implementation of the recommendations.

Replies by the Government of Madagascar regarding the recommendations partly accepted during the universal periodic review

5. Madagascar has examined the 21 partly accepted recommendations and taken a final position on each one.

Accepted recommendations

6. Madagascar has accepted recommendations 109.21, 109.3, 109.4, 109.7, 109.10, 109.11, 109.12, 109.13, 109.14, 109.15, 109.16, 109.17, 109.18 and 109.19 because it believes that it will be able to implement them, as they relate to programmes already under way or to areas of action included in the National Development Plan.

7. Recommendation 109.2, concerning accession to all legal instruments to which the country is not yet a party, has been accepted by Madagascar, but its implementation will be gradual.

8. Recommendation 109.20, on adapting the infrastructure of all public buildings to the needs of persons with disabilities, has been accepted.

9. However, full implementation of this recommendation will depend on the resources available to the Government.

10. Recommendations 109.5, 109.6, 109.8 and 109.9 have been accepted by the Government of Madagascar.

11. However, they will not be implemented until the Communication Code amendment bill has been adopted by Parliament.

Rejected recommendations

12. Madagascar has not accepted recommendation 109.1, concerning ratification of the third Optional Protocol to the Convention on the Rights of the Child on the establishment of an individual communications procedure, because for the time being it is fully engaged in implementing the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.

13. The implementation of various recommendations aimed at eliminating the sale of children, child prostitution and child pornography requires a commitment followed by concrete action.

14. Madagascar intends to prioritize its actions to stop the sale of children, child prostitution and child pornography through the implementation of the new Anti-trafficking Act, adopted by Parliament during its regular session in December 2014. A permanent structure to combat human trafficking, the National Office to Combat Human Trafficking, was established under a decree adopted by the Government Council on 3 March 2015.

15. Madagascar also adopted a National Plan of Action to Combat Trafficking on 6 March 2015, in accordance with United Nations General Assembly resolution 64/293 on the United Nations Global Plan of Action to Combat Trafficking in Persons.